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\*E-FILED - 2/25/09\*

12  
 13 IN THE UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 BOB LEWIS VOLKSWAGEN,  
 16 Plaintiffs,

17 vs.

18 UNIVERSAL UNDERWRITERS  
 19 INSURANCE COMPANY,  
 20 Defendant.

) No. 06-07332 RMW  
 ) ORDER GRANTING REQUEST  
 ) REPORT RE: STATUS OF SETTLEMENT  
 ) AGREEMENT AND JOINT REQUEST FOR  
 ) CONTINUANCE OF CASE  
 ) MANAGEMENT CONFERENCE

) Next Case Management Conference: 2/27/09

1 The parties have agreed to a settlement of this action. This Court has issued an order  
2 requiring the parties to appear for a Case Management Conference on February 27, 2009 if a  
3 dismissal is not on file with the Court by February 20, 2009.

4 Progress has been made on finalizing the Agreement, but the parties will not be able to file a  
5 dismissal by February 20, 2009 for the following reasons:

- 6 1. Counsel for the parties have now reached an agreement on the language of the  
7 Settlement Agreement, and the Agreement is currently being circulated for  
8 signatures, but an executed Agreement has not yet been obtained.
- 9 2. Bob Lewis Volkswagen is in Chapter 11 bankruptcy, Northern District of California  
10 Bankruptcy Case No. 08-50015. Proceedings to obtain Bankruptcy Court approval  
11 of the settlement are in progress, but approval has not yet been granted. The  
12 deadline for creditors to file objections in the bankruptcy action to the settlement is  
13 February 22, 2009. If no objections are filed, bankruptcy counsel will request an  
14 immediate order approving the settlement.

15  
16 The parties therefore respectfully request that this Court continue the Case Management  
17 Conference currently set for February 27, 2009 for 30 days to sufficient time for Bankruptcy Court  
18 approval to be obtained and for the Agreement to be fully executed.

19  
20 IT IS SO STIPULATED.

21  
22 DATED: February 20, 2009

WILLOUGHBY, STUART & BENING

23  
24 By: Ellyn E. Nesbit  
25 Ellyn E. Nesbit  
26 Attorneys for Plaintiff, Bob Lewis  
27 Volkswagen  
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1 DATED: February 20, 2009

SONNENSCHN NATH & ROSENTHAL LLP

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By:   
Michael Barnes  
Megan L. Dunham  
Attorneys for Defendant, Universal  
Underwriters Insurance Company

**ORDER**

IT IS SO ORDERED. The parties are to file a dismissal with the Court by  
March 20, 2009, or appear for a Case Management Conference on March 27, 2009,  
at 10:30 a.m.

DATED: 2/25/09

  
Hon. Ronald M. Whyte  
United States District Judge